December Term 1847

Baynard vs. J. P. Jones & others } No. 47 1844 Equity. "Compltt. addit. Interrog. C."

Additional Interrogatories to be propounded to witnesses to be produced on the part of Complainant. 1. Was or was not the award of the five commissioners to allott the residuum of G. Heides Estate intended to be made conformably to the division of the Residuum agreed upon among the residuary devisees.

2. Did or did not any and which of said five commissioners point out or designate Lot A. to Mrs. Baynard as her lot, did or did not point out any of her property to her, did or did they not the residuary legatees after the award was made take possession of the parts of the estate which said residuary legatees had set out to each other in their division. Was or was not lot A. so taken into possession by Mrs. Eliza Baynard. Was or was not the possession of the property taken by demanding and drawing rents or how was it taken.

3. Was or was not Mrs. Rachel Heides put in possession of both lots B & C, and if so when. Has or has she not drawn the rent of both lot B and C, since the award of the commissioners appointed to assign her dower or since the award of the five commissioners appointed to allott the residuum of G. Heides estate.

16th Dec. 1844. J. M. Buchanan, J. S. M'Cullough } Compltt. Solrs.

Defendants Cross Interrogatories D. filed before the Commissioner 16th December.

Baynard vs. Morris & Jones et al. } Cross Interrogatories to Zebulon N. Cooch on part of Defendants Morris & Jones. D.

1. How often did the commissioners meet, did they meet once, or more than once, State to the best of your recollection.

2. Were the instructions of the parties interested in the award to be made given to the commissioners in writing, If not how were their instructions, designs or intentions communicated to the commissioners & by whom.

3. Which of the devisees made the verbal communications to the commissioners, & when did they make them, Did they make the said verbal communications at the meeting of the Commissioners, of which you have spoken in answer to the first cross interrogatory. John T. Lloyd, for M. & J.

Complainants further Interrogatories E. filed before the commissioner 17th Dec. 1844.

Baynard vs. Jones et al. } Balt. Co. Ct. in Equity. Further Interrogatories to Z. N. Cooch on examination by Complainant E.

1. When you say in answer to the first cross interrogatory, the commissioner certainly met once, do or do you not, meant to say that you recollect a distinct meeting of all the commissioners, or do, or do you not meant to say that you suppose there must have been one meeting in order to execute the award.

2. Do or do you not, in answer to the second cross interrogatory, mean

to say that you ever saw any instructions in formal writing or in notes in ink or pencil from all or any of the residuary legatees to the commissioners, as to the mode in which the allotment of the residuum should be made. J. M. Buchanan, J. S. M'Cullough } Solrs. for Compltt.

17th Dec. 1844.

Defendants Cross interrogatories F. filed before the commissioners 17th Dec.

Baynard vs. Morris & Jones et al. } Cross interrogatory to Joseph Wilkins on part of Defendants Morris & Jones. F.

1. How did the commissioners learn the designs of the parties. 2. How often did the commissioners meet & where did they meet, did they meet more than once, State to the best of your recollection. 3. Were the instructions of the parties interested, in the award to be made by the commissioners given to the commissioners in writing. or were they by verbal communications If by verbal communications please State to the best of your recollection & belief, who made said verbal communications to the commissioners.

4. Were said communications made to the commissioners at their meeting. John T. Lloyd, for Morris & Jones.

Complainants further Interrogatories, marked G. filed before the Commissioner 18th Dec. 1844.

Baynard vs. Jones & others } Baltimore County Court in Equity. 47/1843 E. L. L. D. G. Further interrogatories to Joseph Wilkins produced by complainant.

1. Look at Exhibit No. 2, say who of said commissioners to divide the Residuum have died since the date of said award, and who are still living. Are or are you not one of said five commissioners.

2. Do, or do you not in your answer to the second cross interrogatory when you say that the commissioners did not meet, more than twice mean to say that you recollect two distinct meetings of all the commissioners, and were, or were not said meetings held for the purpose of executing an award.

3. Do or do you not, in your answer to the third cross Interrogatory mean to say that you recollect or have any impression that you have ever seen any distinct separate paper in which the agreement made by the residuary legatees among themselves allotting the estate was reduced to writing and given to the commissioners as instructions or do, or do you not, mean to say that you suppose the award must have been prepared for the commissioners to execute and was or was not the meeting at Mrs. Heides held for the purpose of executing an award that was already prepared. J. M. Buchanan, J. S. M'Cullough } Solrs. for Compltt.

18th Dec. 1844.

Complainants Interrogatories H. filed before the Commissioner 12 March 1845.

Baynard vs. Morris Jones & Wife & others Defendants } Balt. Co. Ct. in Eq. 47/1843 Eq. L. L. D. Interrogatories to be propounded on behalf complainant to Nelson Spurrier H. Have you looked at Exhibit No. 1, and at Complainants Exhibits No. 2, 3, 4, 5, 6, 7, 8, 9 & 10. If so state whether you examined all, any and which